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PTO/SB/21 (08-00)

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10/007,364 **Application Number TRANSMITTAL** November 5, 2001 **Filing Date** Aaron V. Kaplan **FORM First Named Inventor** 3731 (to be used for all correspondence after initial filing) Group Art Unit Julian W. Woo **Examiner Name** 0313-0003.01 Attorney Docket Number Total Number of Pages in This Submission **ENCLOSURES** (check all that apply) After Allowance Communication **Assignment Papers** Fee Transmittal Form (for an Application) to Group Appeal Communication to Board Fee Attached Drawing(s) of Appeals and Interferences Licensing-related Papers Appeal Communication to Group Amendment / Reply (Appeal Notice, Brief, Reply Brief) Petition After Final Proprietary Information Petition to Convert to a Second Affidavits/declaration(s) Provisional Application Status Letter Power of Attorney, Revocation Change of Correspondence Other Enclosure(s) (please Extension of Time Request Address identify below): (1) PCT Search Report Terminal Disclaimer Certificate of Mailing **Express Abandonment Request** Request for Refund Return Receipt Poscard PTO/SB/08A (1 sheet) Information Disclosure Statement CD, Number of CD(s). Certified Copy of Priority Document(s) Remarks Response to Missing Parts/ By U.S. Postal Service Express Mail Incomplete Application Response to Missing Parts Label No. EV 459442891US under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Cook, Alex, McFarron, Manzo, Cummings & Mehler, Ltd. Gary W. McFarron, Esq. (Reg. No. 27,357) Individual name Signature Date April(4/2005 CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: April 4, 2005 Typed or printed name Jason Smaltey Signature Date April 4, 2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:	
Aaron V. Kaplan, et al.) CERTIFICATE OF MAILING BY "EXPRESS MAIL" "Express Mail" Mailing Label No. EV459442891US
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Group Art No.: 3731	addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
Examiner: Julian W. Woo) NAME <u>Jason Smalley</u>
For: METHODS AND APPARATUS FOR TRANSPERICARDIAL LEFT) SIGNATURE
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- 1. Transmittal Form PTO/SB/21 (1 sheet);
- 2. Information Disclosure Statement (in duplicate 3
 sheets);
- 3. PTO/SB/08A (1 sheet);
- 4. Certificate of Mailing (1 sheet);
- 5. PCT International Search Report (4 sheets); and
- 6. Return Receipt Postcard.

Name: Jason Smabley

Signature:



THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In Re Application of:

Aaron V. Kaplan, et al.

Serial No.: 10/007,364

Filed: November 5, 2001

Group Art No.: 3731

Examiner: Julian W. Woo

For: METHODS AND APPARATUS FOR

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CERTIFICATE OF MAILING BY "EXPRESS MAIL"

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NAME Jason Smalley

SIGNATURE

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.97, Applicant hereby calls the Examiner's attention to the documents listed on the attached form, which may be material to the examination of this application. A copy of the foreign document is enclosed herewith for the Examiner's consideration.

No inference should be drawn that any apparatus or method disclosed is equivalent to the subject invention. Also, the citation of the above-discussed documents is not to be construed as an assertion that more pertinent art could not possibly be in existence. Citation of the documents herein is not to be construed as an admission that any subject matter disclosed in the documents

is necessarily within the inventive field of endeavor, that any disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that any disclosure is otherwise necessarily prior art with respect to the instant invention.

Applicant also respectfully reserves the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosure of the documents discussed herein, that may be cited by the Examiner in rejecting a claim in the present patent application.

This Information Disclosure Statement is being mailed after the mailing date of a first Office Action on the merits but before a final action or an action that closes prosecution. The cited information was first called to Applicant's attention in a PCT International Search Report dated January 19, 2005 that was filed in co-pending PCT application International Application No. PCT/US03/14435, which shares a common inventor with the current application. Accordingly, pursuant to 37 C.F.R. § 1.97(e)(2), it is hereby stated: no item of this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the best knowledge of the person signing this certification after making a reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to filing of this

information disclosure statement. Consequently, as provided in 37 C.F.R. § 1.97(c), a fee under §1.17(p) is not required for the filing of this information disclosure. However, if it is determined that an additional fee is required, then authorization is hereby granted to charge Deposit Account 50-1039 any additional fee required.

(A duplicate of this document is enclosed herewith.)

Respectfully submitted,

Date: April 4, 2005

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Chicago, IL 60606

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Attorneys for Applicant

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Substitute for form 1449/PTO

Sheet 1

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known			
Application Number	10/007,364		
Filing Date	November 5, 2001		
First Named Inventor	Aaron V. Kaplan		
Art Unit	3731		
Examiner Name	Julian W. Woo		
Attorney Docket Number	0313-0003.01		

	U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.1	Document Number Number-Kind Code ^{2 (f known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
-	1	^{US-} 4,280,510	07-28-1981	O'Neill		
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	FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	٣
	2	PCT Search Report	01-19-2005			
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Examiner		Date	
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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